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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. 4 07 70433 WDB
)	
12 Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING PRELIMINARY HEARING
13 vs.)	OR ARRAIGNMENT
)	
14 JULIO LOPEZ MORALES,)	
)	
15 Defendant.)	
_____)	

16

17 This matter presently is set for preliminary hearing or arraignment on indictment on
18 November 30, 2007. The complaint charges alien smuggling, with relevant events occurring in
19 Mexico, Arizona, Los Angeles, Oakland and Fairfield. The government has produced over
20 1,200 pages of discovery, and, as recently as November 13, 2007, produced one of several
21 compact discs, some of which contain photographs and others recordings of phone conversations
22 that have yet to be translated from Spanish to English. Defense counsel has reviewed most, but
23 not all, of the written discovery. The parties are discussing earnestly a possible pre-indictment
24 resolution of this matter, but the number of witnesses and volume of discovery necessarily render
25 the discussions fact-intensive. The parties believe that an additional week of discussions will
26 provide sufficient time to determine whether this matter may be resolved without indictment.

1 Given the severity of the charges the government is contemplating, defense counsel and Mr.
2 Morales agree that a brief continuance of the preliminary hearing/arraignment date is both
3 desirable and warranted.

4 It therefore is STIPULATED AND AGREED that this matter may be continued to
5 December 7, 2007, at 10:00 a.m.

6
7 Dated: November 28, 2007

/S/

H. H. (SHASHI) KEWALRAMANI
Assistant United States Attorney

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10 Date: November 28, 2007

/S/

JEROME E. MATTHEWS
Assistant Federal Public Defender

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12 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
13 “conformed” signature (/S/) within this e-filed document.

14
15 Good cause appearing therefor, IT IS ORDERED that the preliminary hearing or
16 arraignment on indictment in this matter be continued to December 7, 2007. The Court finds
17 that the interests of justice are served by permitting the parties additional time to attempt to
18 resolve this matter short of indictment.

19
20 Dated: November 29, 2007



WAYNE D. BRAZIL
United States Magistrate Judge